G.R.S. IX—5]

Previous references.
LB 5-3-21 & 67
San 57-99 & 1-20

192 (LB)

Proposed

File No. 130-22

Serial Nos. 1—3

Later references
LB 5-7-28 (1-2)
LB 120-31-(4-6)

AND REVENUE SECRETARIAT.

Serial Nos. Three

Part B for November 1923

SUBJECT

Bye laws defining the powers and functions of the President, Sanitary Board K.G.F.

82 To The Compiler, Mysore Gazette
L 3608 & 14.11.23.
Notifies a certain substitution for rule 6 in sec I of the rules for the Special Sanitation of the area under the control of the Kolar Gold Fields Sanitary Board published with Govt Notification No 707-S LB 185-15-3 & 2nd March 1916.

To The President, Sanitary Bd K.G.F.
L 3609 & 14.11.23
Forwards copy of the above for info

83 To The President, Sanitary Bd K.G.F. L 3610 & 14.11.23
Approves of the proposed bye laws defining the powers and functions of the President, K.G.F. Sanitary Bd.

Noted 15.11.23.

1922-23

GENERAL AND REVENUE SECRETARIAT.

(GB.)

NOTES.

File No. 130/22

FILE HEADING.

Rules Bye-laws under Rule 7 of Sec I of the Rules for the Special Sanitation of the K.G.F. Area

From The President Sanitary Bd Kolar Gold Fields.

No. C 251/22-23 Dated 7-4-1923 Received 11-4-1923

Diary No. 5272 Enclos. Spare Copies. Serial No. 1

BRIEF ABSTRACT OF LETTER.

Submits for Sanction certain Bye-laws drawn up by the Orders & Sanctions of the President of the Bd

NOTES AND ORDERS.

P T O

LB 130-22 2

Subd for orders with refce
2. With refce to (d)(iii) of the new leg laws proposed to be added to leg law III it is a point for consideration whether it is desirable to furnish copies in confidential cases before it is safe to publish such proposed cases to do.

HK
19.4.1923

3 CSB
21.4.

(Rev: Sec:) 655/23

REVENUE & SECRET BRANCH
23 APR 1923
LOCAL SELF GOVT. BRANCH.

Secd Member 4 HK 23/4/23
CSB
25.4.

5 What are the rules in force in Bangalore & Mysore City Municipal Councils in this matter

HK
21/5 11/22/23
CSB
22.5.

There appears to be no rule under Subject in the Bangalore City Municipal Act. The Mysore City Municipal Act framed the following rule under Sec 46(b)(i) of the Act in force - Regn (b) The President shall have power to appoint suspend fine reduce or dismiss any Municipal Servant whose pay does not exceed Rs 40 per month." There is no rule on the question of furnishing copies of documents - in either of these Municipalities.

HK
25.5.1923

7

85/517

8. Please see the reference - specially a reference about Municipal Councils. 2 In Presidency Municipal Council Bangalore the Municipal Commissioners with the approval of Government framed rules under which they are empowered to appoint, punish & dismiss Municipal servants & by whom & under what circumstances & if there are any rules under which appellate authority is to be exercised & if there are any rules under which appeals are allowed to be preferred & if there are any rules under which appeals are allowed to be preferred & if there are any rules under which appeals are allowed to be preferred

10. I have not also the pleasure to [illegible]
[illegible] Consular Agent at [illegible]
[illegible] and also to [illegible]
[illegible] and also [illegible]
[illegible] I have the honour to be [illegible]
[illegible] which had reached his Colleague
[illegible] I have also the honour to be [illegible]
[illegible]

4/7
4/5/23

11. Draft CSS
5.7.23

12. Draft Do & Instruct
Note with respect to paras 9 & 10
will be sent up when received the
file on receipt of the Foreign Office
& the present Do.

7/7/23

Issue CSS
7.7.23

G. R. S. III-2]

General and Revenue Secretariat. | GB File No. 130 of 1922

| Serial No. |

Do no L 207 & 10.7.1923 to the Presd Cg. mil cl Bangalore

Calls for info as regards his powers relating to appoint of Mil Servants thereof dismissal & punishment & for copies of the rules regulating these powers.

From the Presd. Cg. mil cl, Bangalore

Do no 3 of 23-24 & 16.7.23.

States that it has been the practice till now that appointments & promotions of offs drawing less than Rs 100 p.m. have been made by the Resident while in the case of those of Rs 100 & above the subj is placed before the Council & also submd to Govt for appl.

It The Do letter of the Presd, Cg. mil cl, Bangalore, is submd with reference to para 8.

In with reference to para 9 it is submd that Mil Cls have no power to create new appointments out of their funds without obtaining the sanction of Govt. But under rule 27 of rules in the Mil Account Manual they have power to entertain temp

NOTE—Contn. sheet.

317

G. R. S. 111-2]

General and Revenue Secretariat.

GS File No. 130 of 1922

Serial No.

Temporary Establishments within budget limits.

16 With reference to para 10 attention is invited to Sec 46(b)(ii) and proviso (a) to that Sec as regards creation of appointments. Under this provision the rules framed by MLCs under the Sec and sanctioned by Govt the Staff of Officers and Servants to be employed by the MLCs are determined. When once the appointments are sanctioned, the Town Councils are competent to fill up those appointments & who shall exercise these powers are determined by rules framed 46(b)(i). The Chief Officer's powers of appointment & punishment are specified in Sec 182A. There does not appear to be any provision in the ML Regn requiring MLCs to obtain sanction of Govt for filling up particular posts or posts carrying a pay or salary over a specified sum. Sec 186 J (1) defines the powers of patronage of the ML commr in a City Municipality

31-7-23

NOTE—Contn. sheet.

317

G. R. S. III-2]

General and Revenue Secretariat.

L.B File No. 1/80 of 19 2

Serial No.	
933 28/8/28	17. Refer Paras 8 & 10 (Revenue Secretary) CB 2.8.28
	18. (First Member) 2/8/28 In the draft note 2.8.28
	19. Please mercantile minutes & note whether they can be cancelled. 2/8 4/9/28 9.8.28
M 4-8	

[illegible] of the words "the
may stand in the amending rule 6.

The addition of the words "with the ap-
proval of the Board" may be adopted in the draft
bye-law (c) (i).

Substitution of the words "subject to
the approval of Govt" in the draft bye-law
(c) (i) I cannot but be done, as the Sanitary
Board have got powers of Nomination to posts
~~under bye-law~~ the creation of which was sanc-
-tioned by Govt. It is only the Health Officer's post
that has to be filled up by Govt. (Vide Rules
6 & 5 of the ~~Rules~~ Sanit[ary] Bd Rules)

The above two suggestions may be
referred to by Consideration of the Sanit[ary] Bd
and
~~Submitted for orders~~

P.T.O.

15.9.09

NOTE—Contn. sheet.

(8)

G. R. S. III-2]

General and Revenue Secretariat. L. D. File No. 130 of 19 22

Serial No.	
	Section III - Rule 6
10.	Section III - Rule 6. The object of the Board in proposing the alteration of the present rule is to exercise powers in respect of variation of scale of establishments upto Rs 30, under rule 27 of the Mysore Municipal Account Manual even Minor Municipal councils have power to so vary the scale in respect of employees on pay not exceeding Rs 15 a month. It therefore stands to reason that the Board may be given some powers in this respect and Govt have to decide whether such a power will be given

NOTE—Contn. sheet.

o the Board and if so within what limits. If it is intended not to give any powers to the Board in this respect, the pencil alteration may stand. Otherwise, the rule may be altered so as to read as shown below:-

"The Sanitary Board may from the funds at its disposal, create, with the approval of Govt, appointment

x x x x x x x x

the efficient administration of the Sanitary Board area, provided that the Board shall be competent, without any reference to Govt and within budget limits to sanction variations in the scale of permanent establishments in the cases of employees on pay not exceeding Rs x a month

x To be filled up.

21) Rule III (c) (ii) There does not appear to be any harm in allowing this rule to stand. The report to the Board of transfers etc made by the President may, perhaps, serve a good purpose.

General and Reve... Secretariat. | LB File No. 130 of 1922.

Serial No.
22)

Rule III (c)(1). 1. The penal alteration does not appear to be suitable. The object of the Board in proposing the rule is to preserve some patronage to the Board and this will be wholly frustrated by the proposed alteration. At present sanction of Govt is required only in respect of appointments to posts carrying a pay of Rs 100 or a month and the other appointments are made by the Presdt. The point for consideration is whether the Board may be allowed to restrict the powers of the Presdt and given patronage in respect of appointments to posts carrying above Rs 50 and below Rs 100 a month. The Mysore City Municipal Council now exercises such powers in respect of appointments to posts carrying a pay of over Rs 40 and below Rs 100 a month and the Presdt of the Sanitary Board is agreeable to give powers of patronage to the Board. In these circumstances

NOTE—Contn. sheet.

General and Revenue Secretariat. | LB File No. 120 of 1922.

Serial No.

the pencil alteration does not appear to be caused for.

23) Rule III (c)(1)

In this connection it is noted that rules nos 1, 3 and 4 proposed are defective in that they do not specify the authority competent to make appointments, transfers etc in cases which are beyond the powers of the President. Moreover, the proper place for the preamble of Rule III (c)(1) appears to be Rule III (a) which states that the Chief Executive officer of the Board etc. is the President. It is therefore suggested that the following course may be adopted in sanctioning the rules:

24) Rule III (a) In this rule, after the words "The President shall be the Chief Executive Officer of the Board" the following shall be substituted:-

"The President shall be the Chief

NOTE—Contn. sheet.

Executive officer of the Board and he shall exercise all the executive functions of the Board excepting those which may be specially reserved by the Board from time to time with the approval of Govt".

25/ Rule III (c) (i) preamble. The following shall be substituted for the preamble.

"The power to appoint, suspend, reduce, dismiss and transfer employees of the Board shall vest in the Board provided that sanction of Govt shall be obtained to appointments to posts carrying a pay of Rs 100 or more and that the Presdt shall have power", etc

26/ Rule III (c) (ii) 1. In this rule omit the words as "with the previous sanction of the Board" and "nominations to posts whose salary exceeds Rs 50 being submitted to the Board for approval".

Same for women 27. Reffd back 19.

20.2.22
15.2.9

NOTE—Contn. sheet.

NJ
15/8/23
2123 v First Member

15/4/25

G. R. S. III-21

317

General and Revenue Secretariat. | LB File No. 130 of 1922

Serial No.	
2092	28. The numbering of sections in the Act is not consecutive because it proceeds upon an old order of 1900 the recent rules are but rules passed in 1916.
	29. The rules as framed & submitted by the Govt may be approved
	but
	16/9
	30 draft. CSB 17.9.23
17/9	Mr. G.H.V.
	31 Submitted for.
	SHM
	22-9-23 32 The Asst will please scrutinize the draft
	CSB 29.9.23
	33. With ref to para 28 it is submitted that the matter under consideration is the Amendment to the Laws which were sanctioned in 1900. The rules that were revised & published with Notn of May 1916.
	34. A draft Notn Amending Rule 6 of Sec I of the Rules & a revised for Sanction of the Govt Laws are putup for appl.
3176 29-2-23	CSB 26.10.23
NOTE—Contn. sheet.	HK 14.10.1923 First Member appd

7/11 8/11

5724

G. R. S. III-2]

General and Revenue Secretariat.

LB File No. 130 of 1923

Serial No.	
	Issue C.S. 8.11.23
1	
2	To The Compiler, Mysore Gazette L 3608 & 14.4.23. Notifn a substitution for Rule 6 in Section I of the rules for the special Sanitation of the area under the control of the Kolar Gold Fields Sanitary Bd published with Govt Notification No 7075/LB 185-15-3 & 22-3-16. To the President, Sanry Bd KGF. L 3609 & 14.4.23 Fr Copy of the above
3	To The President, Sanry Bd KGF L 3610 & 14.4.23. Approves of the bye laws recd with ref

NOTE—Contn. sheet.

(15

Office of the President

No.C.251/22-23. Sanitary Board, Kolar Gold Fields,

Dated Champion Reefs, the 7th April 1923.

From

S.Hiriannaiya Esquire, M.A.,B.L.,

President, Sanitary Board,

Kolar Gold Fields.

RECEIVED IN DURBAR BUREAU
17 APR 1923
LOCAL & GENL. BRANCH.

To LB130-22-1

T.E.Jayarama Iyer Esquire, B.A.,B.L.,

Secretary to the Government of His Highness

the Maharaja of Mysore, Revenue Department,

Bangalore.

Sir,

P With reference to para 3 of your letter No.L.120 L.B. 53-21-7, dated the 7th July 1922, stating that the Sanitary Board may make bye-laws under rule 7 of section 1 of the rules for the special sanitation of the Kolar Gold Fields, Sanitary Board area and submit them to Government for approval if the submission of a return showing the disciplinary action taken by the Board is to be a rule of business, I have the honor to stat that the Board considered this subject and the allied one of th powers to be delegated to the President in regard to making appointments etc., in their meeting held on the 16th February 1923.

They have approved of the bye-laws as noted below, whic are based on the analogy of the revised paragraphs 193, 194, an 197 of the Municipal Regulation (vide pp 4 and 5 of the supplement to the gazette dated 24-8-1922) and define the powers of patronage and disciplinary action which the Board reserves to itself and which it has delegated to the President and give the right to the Board to call for returns, statements, statistics etc., Incidentally it is also proposed to empower the Sanitary Board to create appointments carrying a pay of Rs.30/- or under as in the case of Municipalities, (vide amendment to rule 27 ⊗

(16)

rule 27 of the Municipal Account Manual).

I may mention that a sub committee comprised of myself, ~~and~~ the Vice President and Dr.O'Donnell, Chief Medical Officer drafted these bye-laws before they were placed before the Board.

I request you to be so good as to obtain sanction of Government to these revised bye-laws.

A copy of Board's resolution approving the same is herewith submitted.

I have the honor to be,

S i r,

Your most obedient servant,

For, President,

Sanitary Board, K.G.D.

Substitute the following for rule 6 of section 1.

1. The Sanitary Board may from the funds at its disposal create appointments including those of Sanitary Inspectors, Assistant Sanitary Inspectors, Work Inspector and such establishments of Mestries, sweepers, scavengers, watchers and other servants as may be found necessary for the proper and the efficient administration of the Sanitary Board area, provided that sanction of Government is obtained to the creation of appointments carrying a pay of over Rs.30/-

Insert the following additional paragraphs in rule III of bye-laws sanctioned in Government Notification No.4031-L.F. ~~12.09~~ dated 14th September 1900.

(c). i. The President shall exercise all the executive function of the Board excepting those which may be specially reserved by the Board from time to time and shall have power

1. To appoint~~ment~~ without the previous sanction of the Board a qualified and competent person to any sanctioned post under the Sanitary Board, the monthly salary of which does not exceed Rs.50/- per mensem, nominations to posts whose salary

17

exceeds Rs. 50/- being submitted to the Board for approval.

2. To grant leave of absence to the holder of any post under the Sanitary Board and to appoint a fit person to act for such holder during such absence.

3. To ~~trnafer~~ transfer, reduce, suspend or dismiss the holder of any post the monthly salary of which does not exceed Rs. 50/- and to fi fine any official of the Board.

4. In emergent cases, to suspend officials getting a monthly salary of over Rs. 50/- placing the matter before the Board for approval at the next meeting.

(ii) All transfers and disciplinary measures other than the imposition of fines taken by the Executive Officers of the Board in respect of officials of the Board drawing a salary exceeding Rs. 30/- should be reported to the Board at the next meeting.

(d) The Sanitary Board may require the President to ~~xxxxx~~ furnish them with:-

(i) Any return, statement, estimate, statistics or other information regarding any matter appertaining to the administration of the Sanitary Board.

(ii) A report on any such matter

(iii) A copy of any document in his charge.

The President shall comply with every such requisition without unreasonable delay.

(18

Extract from the copy of the proceedings of the fourth ordinary meeting of the Kolar Gold Field Sanitary Board held on 16th - February 1923.

(6). (Subject No.10 of the last meeting) Draft Rules - framed by the Sub Committee regarding the powers of the Presider and the Board in connection with appointments etc.

Resolution:- Approved.

" E x t r a c t "

for President,
Sanitary Board, K.G.F.

G. R. S. VI—G/32]

(19)

SUBJECT.

Diary No. of letter replied to 5272/L

Section 2B3
File No. 130.22
Serial No

General and Revenue Secretariat.
(L&L)
, *the* *191*

No. L-207

Date of issue 10/7/23

Signed by

To

Dear Sir

I am desired to request you to kindly furnish the following information
(i) What are the powers of the President of the City Municipal Council of Bangalore with regard to appointments promotion and punishment of municipal servants
(ii) By what rules are

over.

D.O. No. 3 of 23-24 (21

Office of the City Municipal Council,

Bangalore, dated 16th July 1923.

Dear Sir,

With reference to your D.O. letter No. L. 207 dated 10th July 1923, regarding the rules governing appointments, promotions and punishments of Municipal servants, I desire to state as follows:--

18 JUL 1923
LOCAL SELF GOVT.

2. The following are in the main the Sections of the Municipal Regulation bearing on the subject.

(a) Section 24 (c) ~~provides for the~~

"It shall be the duty of the President of a Municipal Council to exercise supervision and control over the acts and proceedings of all officers and servants of the Municipal Council in matters of executive administration and in matters concerning the accounts and records of the Municipal Council; and, subject to the rules of the Municipa ncil at the time being in force, to dispose of all questions relating to the service of the said officers and servants and their pay, previleges and allowances;

(b) Section 46 (e) ~~provides for the~~

"Every Municipal Council shall, as soon as conveniently may be after the constitution thereof make and may from time to time alter or rescind rules, but not so as to render them inconsistent with this Regulation, subject to the provisions of Section 184, determining the mode and conditions of appointing, punishing or dismissing any officer or servant, and delegating to officers designated in the rules the power to appoint, fine, reduce, suspend or dismiss any officer or servant."

3. The Council have not yet formed any rules on the subject and in the general revision of rules and bye-laws, which I have undertaken, I am making rules.

4. The practice, till now, has been that appointments and promotions of officials drawing less than Rs. 100 per

P. T. O.

22

mensem, are made by the President, while in the case of officers drawing Rs. 100 and above, the subject is placed before the Council and also submitted to Government for approval.

Yours sincerely,

To

T. E. Jayarama Iyer Esq., B.A., B.L.,

Revenue Secretary to Government.

G. R. S. VI—G/32]

SUBJECT ....

Diary No. of letter replied to 5272-22

General and Revenue Secretariat

(LSG)

, the 192 .

Date of issue 14/11/23

Signed by

Section LSG

File No. 130-22

Serial No. 2

No. L 3608

To Notification

For rule 6 in Section I of the rules for the Special Sanitation of the area under the control of the Kolar Gold Fields Sanitary Board published with Notification No 7075-LSG 185-15-3 dy the 22nd Mar 1916, the following shall be substituted.

" The Sanitary Board may from the funds at its disposal create appointments including those of Sanitary Inspectors, Assistant

over.

VD 0632-GPB—18000—16-8 28

Assistant Sanitary Inspectors, Work Inspector and such establishments of Mestries, Sweepers, Scavengers, watchers and other Servants as may be found necessary for the proper and the efficient administration of the Sanitary Board area, provided that Sanction of Govt is obtained to the creation of appointments carrying a pay of over Rs 30/."

By order

Chief Secy to Govt
Local & Legis Depts

AHK.
8.10.1923

To The Compiler, Mysore Gazette for publication in the Gazette with the request that 100 spare copies may be sent to the Secretariat

List of enclosures.

Memo. L 3609
Copy forwarded to the Press for publication in the Mysore Gazette with reference to his letter No. C 251/22-23 dated 7.6.23

Copied by

Examined by

By order

Asst Secy to Govt
Local & Legis Depts

G.R..S VI G 34j

SUBJECT

Diary No. of letter replied to... 5272 X-22

Section ZB

File No. 130-22

Serial No. 3

General and Revenue Secretariat

(ZLG)

Proceedings of the Government of His Highness the Maharaja of Mysore.

, the 192

Date of issue... 14/11/23

Signed by...

Read— Letter No C 251/22-23 &
the 7th April 1923 from the
President Kolar Gold
Fields proposing certain amend
ments to rule 6(a) Sec I the rules
published with Notn No 7075-
ZB 185-15-3 & the 22nd Mar 191
and soliciting sanction
to the addition of the following
defining the powers of the
Order thereon No President to bye-
law No III of the bye-laws
sanctioned in GO No 403/ZB
17-99 dy the 14th Sept 1900
(c) i. The President shall exerc
all the executive functions of the

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette, paragraphs
English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette,
Kannada Part ?

G. R. S. G/33]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

measures other than the imposition of fines taken by the Executive Officers of the Board in respect of Officials of the Board drawing a salary exceeding Rs 30/- at the next meeting

Should be reported to the Board

(d) The Sanitary Board may require the President to furnish them with

(i) Any return, Statement, Estimate, Statistics or other information regarding any matter appertaining to the administration of the Sanitary Board.

(ii) A report on any such matter

(iii) A copy of any document in his charge.

The President shall comply with every such requisition within a reasonable delay.

2. Govt Note No L 3608 LB 130-22-28 the

WD 2236—GPB—1,00,000—23-7-20

Addition to Bye-Law No. III of the Bye-Laws Sanctioned Government Order No. 4031 L. F. 17-99 dated 14th September 1900.

———:o:———

Bye-Law III (c):—Sanctioned in G. O. No. L. 3610—L. B. 130-22-3 dated, Bangalore, 14th November 1923.

———:(o):———

" (*c*) (i) The President shall exercise all the executive functions of the Board excepting those which may be specially reserved by the Board from time to time and shall have power.

1. To appoint without the previous sanction of the Board, a qualified and competent person to any sanctioned post under the Sanitary Board, the monthly salary of which does not exceed Rs. 50 per mensem, nominations to posts whose salary exceeds Rs. 50 being submitted to the Board for approval.

2. To grant leave of absence to the holder of any post under the Sanitary Board and to appoint a fit person to act for such holder during such absence.

3. To transfer, reduce, suspend or dismiss the holder of any post, the monthly salary of which does not exceed Rs. 50 and to fine any official of the Board.

4. In emergent cases, to suspend officials getting a monthly salary of over Rs. 50 placing the matter before the Board for approval at the next meeting.

(ii) All transfers and disciplinary measures other than the imposition of fines taken by the Executive Officers of the Board in respect of officials of the Board drawing a salary exceeding Rs. 30—0—0 should be reported to the Board at the next meeting.

(*d*) The Sanitary Board may require the President to furnish them with :—

(i) Any return, statement, estimate, statistics or other information regarding any matter appertaining to the administration of the Sanitary Board.

(ii) A report on any such matter.

(iii) A copy of any document in his charge

The President shall comply with every such requisition without unreasonable delay ".

A. V. RAMANATHAM,

Vice-President,

Sanitary Board.

Oriental Steam Press, Bowringpet.—1924.